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TRIMBLE NAVIGATION LIMITED C/O WAGNER BLECHER  
123 WESTRIDGE DRIVE  
WATSONVILLE CA 95076

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**AUG 17 2009**

In re Application of  
Ristau et al.  
Application No. 10/672,354  
Filed: September 25, 2003  
Attorney Docket No. TRMB-1398

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**OFFICE OF PETITIONS**  
DECISION ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed June 2, 2009, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely submit the publication fee, as required by the Notice of Allowance and Fee (s) Due, which was mailed November 10, 2005. The Notice of Allowance and Fee (s) Due and the Notice of Allowability set a three (3) month statutory period for reply. Extensions of time were not available under the provisions of 37 CFR 1.136(a).

Accordingly, this application became abandoned on February 11, 2006. A Notice of Abandonment was mailed on March 28, 2006. A petition filed under 37 CFR 1.181 on May 4, 2006 was dismissed on April 1, 2009.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of payment of the publication fees of \$300, (2) the petition fee of \$1620; and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3215.

This application is being referred to the Office of Data Management for further processing.

Charlema Grant  
Petitions Attorney  
Office of Petitions